

<b>Applicant</b>	City of Fort Lauderdale Planning and Zoning Division	
<b>Request</b>	Rezone from Broward County B-3/C-1/M-3 Districts to City of Fort Lauderdale B-3 District	
<b>Location</b>	2980, 2990 and 3000 State Road 84	
<b>Legal Description</b>	Will be provided	
<b>Property Size</b>	11.2 Acres	
<b>Zoning</b>	Broward County B-3, C-1 and M-3 Districts	
<b>Existing Land Use</b>	2980 – Vacant; 2990 – Light Industrial; 3000 - Marina/Shipyard (north of I-595)/Vacant (south of I-595).	
<b>Future Land Use Designation</b>	Commercial and Industrial	
<b>Comprehensive Plan Consistency</b>	Consistent with Objective 22, Policy 22.1 and Objective 24 of the Comprehensive Plan	
<b>Other Required Approvals</b>	City Commission Approval	
<b>Applicable ULDR Sections</b>	Section 47-6.13 (B-3 District); Section 47-7.10 (I District); Section 47-1.12 (Effect of annexation on property)	
<b>Notification Requirements</b>	<ul style="list-style-type: none"><li>• Mail notice to property owners and property owners within 300'</li><li>• Sign Notice</li></ul> *Notice requirements pursuant to Section 47-27.5	
<b>Project Planner</b>	<b>Name and Title</b>	<b>Initials</b>
	Donald Morris, AICP, Planner III	
<b>Authorized By</b>	Chris Barton, AICP, RLA, Principal Planner	
<b>Approved By</b>	Bruce Chatterton, AICP, Planning and Zoning Manager	

## REQUEST

The City of Fort Lauderdale is requesting approval of a rezoning from Broward County B-3, C-1 and M-3 Districts to City of Fort Lauderdale Heavy Commercial/Light Industrial (B-3) District and Industrial (I) District to finish the annexation process for a series of properties located in the SR 84 Marina Mile area, which was begun in 1994.

## BACKGROUND

These properties are located along the south side of State Road 84, west of SW 30<sup>th</sup> Avenue and were part of the Marina Mile annexation effort conducted between 1994 and 1996. Land Use Plan (LUP) amendments were subsequently approved and certified by the Broward County Planning Council in 2000. The proposal will rezone the properties to an appropriate City zoning classification and implement the previously approved LUP amendments. (See **Exhibit 1** for an overall area map and **Exhibit 2** for an aerial map).

Section 47-23.8.C *Waterway use* of the ULDR requires that any property zoned B-2, B-3 or I District which abuts a waterway shall be used for a marina, a hotel marina, or a shipyard, where such uses are permitted within the B-2, B-3 or I zoning districts. On May 4, 2004 the City Commission approved an amendment to ULDR Section 47-1.12 *Effect of annexation on property*, to allow legally permitted existing uses on annexed properties to remain legal and permitted after rezoning, but prohibit any new uses that do not conform to the new City zoning district from being introduced on these properties.

The proposed rezoning includes three properties between SR 84 and I-595 (2980, 2990 and 3000 SR 84), and two vacant parcels South of I-595. On May 17, 2000 the Planning and Zoning Board approved (8-0) the rezoning of 2980 and 3000 SR 84 from Broward County B-3 District to the City's B-3 District, and from Broward County C-1 and M-3 General Industrial District to the City's I Industrial District. However, these items were never forwarded to the City Commission. Staff has since met or has had discussions with the property owners, and have re-affirmed the proposed rezoning requests.

On August 20, 2003 the Planning and Zoning Board reviewed a City-initiated rezoning request for the entire Marina Mile annexation area. The Board approved the proposed rezonings, with the exception of the properties located south of State Road 84. These were deferred until safeguards could be adopted to rezone properties so that legally permitted existing uses in the County would also be permitted in the City. The recent amendment to ULDR Section 47-1.12 *Effect of annexation on property*, addressed these concerns (See **Exhibit 3**). The August 20, 2003 Planning and Zoning Board minutes are attached as **Exhibit 4**.

## REZONING ANALYSIS

Existing Zoning "from"	Proposed Zoning "to"
<ul style="list-style-type: none"><li>Broward County General Business District B-3 (See <b>Exhibit 5</b> for Permitted Uses)</li><li>Broward County C-1 Commercial District (See <b>Exhibit 6</b> for Permitted Uses)</li><li>Broward County M-3 General Industrial District (See <b>Exhibit 7</b> for Permitted Uses)</li></ul>	City of Fort Lauderdale B-3 Heavy Commercial/Light Industrial District (See <b>Exhibit 8</b> for Permitted Uses)

Pursuant to Section 47-24.4(D) of the ULDR, the following criteria shall be used to evaluate the rezoning request:

- 1) *The zoning districts proposed are consistent with the City's Comprehensive Plan.*

The zoning districts proposed for this area are consistent with the Land Use Plan amendments adopted in 2000. They also support the Goals, Objectives and Policies of the Future Land Use Element of the City's Comprehensive Plan as follows:

Objective 22: Continue to respond to identified problems/opportunities; develop incentive systems for quality development and redevelopment; prevent incompatible uses; and incorporate design criteria.

Policy 22.1: Insure consistency between zoning and the City's adopted Comprehensive Plan and the City's Mission Statement through annual updating of the Plan.

Objective 24: Continue to protect and enhance marine uses as a recognized resource of the City.

- 2) *Substantial changes in the character of development in or near the area under consideration supports the proposed rezoning.*

There City is not proposing substantial changes for any of these properties. The properties are being rezoned from Broward County zoning classifications to City of Fort Lauderdale zoning classifications to complete the State Road 84 annexation process begun in 1994.

- 3) *The character of the area proposed is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts and uses.*

These existing uses located south of SR 84 are primarily marine-related. The proposed rezoning is intended to maintain and promote these uses.

## **PLANNING AND ZONING BOARD REVIEW OPTIONS**

1. If the Planning and Zoning Board determines that the application meets the criteria for rezoning, the recommendation shall be forwarded to the City Commission for consideration.
2. If the Planning and Zoning Board determines that the criteria for rezoning, the Board shall deny the application and procedures for appeal to the City Commission as provided in Sec. 47-26B, Appeals, shall apply.

Acting as the Local Planning Agency, the Board's motion should include a finding of compliance with the City's Comprehensive Plan and the criteria for rezoning.